UNITED STATES PATENT AND TRADEMARK OFFICE

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ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
   Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>13 March 2007</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-26</u> is/are pending in the application.

　　4a) Of the above claim(s) <u>10-19</u> is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-9,20-26</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☒ Claim(s) <u>10-19</u> are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☐ All　b)☐ Some * c)☐ None of:

　　　1.☐ Certified copies of the priority documents have been received.

　　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage

　　　　application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
　　Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
　　Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

Claim Rejections – 35 U.S.C. 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-9, 20-26 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Regarding Claim 1, "prior to conducting the search" has not been taught in the specification to enable one skilled in the art to make/use the invention.

Regarding Claim 20, "prior to conducting the unified search" has not been taught in the specification to enable one skilled in the art to make/use the invention.

It is not understood how the invention determine the relevant resources prior to conducting the search. Is this step executed before step #1 (displaying a unified search entry interface in response to a request to search for content)?

Claim Rejections – 35 U.S.C. 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent

granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-9, 20-26, as best understood, are rejected under 35 U.S.C. 102(b) as being anticipated by Kincaid et al. (US 2002/0169764).

Regarding 1, Kincaid discloses a method for facilitating a search for content from disparate resources, the method comprising:

- displaying a unified search entry interface in response to a request to search for content (Figures 2, 3, 6, 8, paragraphs 0014, 0053, 0060);

- prior to conducting the search, determining at least one relevant resource from a plurality of disparate resources (resources have already been stored in the database before any search) in which to search for occurrences of a search term entered in the unified search entry interface (See paragraphs 0005, 0010, 0017-0019, 0064-0067 and abstract);

- normalizing the relevant disparate resource (See paragraph 0064, 66, 79); and

- blending disparate results (combined results) obtained from searching for occurrences of the search term in the normalized relevant disparate resources (See paragraph 0059).

Regarding Claim 2, Kincaid discloses that normalizing the relevant disparate resource comprises:

- determining a relative importance of the search term occurring in one location in a first disparate resource versus the search term occurring in another location in a second disparate resource (See paragraphs 0016, 0019, 0060, 0063-0067, Figure 3); and

- weighing the occurrence of the search term in the disparate resources in accordance with the relative importance (See paragraphs 0064, 0066, 0083).

Regarding Claim 3, Kincaid discloses that blending the disparate results includes ranking the results by the weight of the occurrence of the search term, displaying the ranked results by a category associated with the resource, and displaying the locations in which the search terms occurred in comparable positions within each category. (See 0016, 0019, 0060-0067, 0086, 0088)

Regarding Claim 4, Kincaid discloses that the method further comprising:

- capturing a context of the search request (See paragraphs 0045, 0057); and

- wherein determining at least one relevant resource (ranking relevancy) is based on the context of the search request (See Abstract, paragraphs 0005-0010).

Regarding Claim 5, Kincaid discloses that obtaining an automated measurement of relevance for each of the plurality of disparate resources; wherein determining the at least one relevant resource is based on the automated measurement of relevance. (See paragraphs 0005-0010, 0013-0017).

Regarding Claim 6, Kincaid discloses that the automated measurement of relevance is a metric that quantifies a user interaction with the resource. (See paragraphs 0005-0010, 0013-0017).

Regarding Claim 7, Kincaid discloses that the quantified user interaction includes at least one of a frequency with which a user accesses the resource, a length of time that the user accesses the resource, and a significance of an action that the user performs on the resource (See paragraphs 0015, 0019, 0064, 0083, 0089-0091).

Regarding Claim 8, Kincaid discloses the method further comprising:

-        obtaining a user preference indicating a preferred resource in which to search (See paragraph 0060, Claims 33, 50);

-        wherein determining the at least one relevant resource is based on the preferred resource as indicated in the user preference (See paragraph 0060).

Regarding Claim 9, Kincaid discloses the method further comprising:

-        building an index for the disparate resources (See paragraphs 0004-0009, 0052); and

-        searching the index associated with the relevant resource when searching for occurrences of the search term (See paragraphs 0004-0009, 0051, 0052, 0054).

Regarding Claim 20, Kincaid discloses a computer-accessible medium having instructions for conducting a unified search for electronic content, the instructions comprising:

- displaying a unified search entry interface in response to a request to
search for content (Figures 2, 3, 6, 8, paragraphs 0014, 0053, 0060);

- prior to conducting the unified search, determining one relevant resource
from a plurality of disparate resources (resources have already been
stored in the database before any search) in which to search for
occurrences of a Search term entered in the unified search entry
interface (See paragraphs 0005, 0010, 0017-0019, 0064-0067 and
abstract);

- normalizing the relevant disparate resource (See paragraph 0064, 66,
79); and

- blending disparate results obtained from searching for occurrences of the
search term in the normalized relevant disparate resources (See
paragraph 0059).

Regarding Claim 21, Kincaid discloses that the instruction to normalize the
relevant disparate resource comprises:

- determining a relative importance of the search term occurring in one
location in a first disparate resource versus the search term occurring in
another location in a second disparate resource (See paragraphs 0016,
0019, 0060, 0063-0067, Figure 3); and

- weighing the occurrence of the search term in the disparate resources in
accordance with the relative importance (See paragraphs 0064, 0066,
0083).

Regarding Claim 22, Kincaid discloses that the instruction to blend the disparate results includes instructions to rank the results by the weight of the occurrence of the search term, display the ranked results by a category associated with the resource, and display the locations in which the search terms occurred in comparable positions within each category (See 0016, 0019, 0060-0067, 0086, 0088).

Regarding Claim 23, Kincaid discloses that the instructions further comprise:

-        capturing a context of the search request (See paragraphs 0045, 0057); and

-        determining the at least one relevant resource based on the context of the search request.(See Abstract, paragraphs 0005-0010).

Regarding Claim 24, Kincaid discloses that the instructions further comprise obtaining an automated measurement of relevance for each of the plurality of disparate resources; and determining the at least one relevant resource based on the automated measurement of relevance. (See paragraphs 0005-0010, 0013-0017).

Regarding Claim 25, Kincaid discloses that the automated measurement of relevance is a number that represents a user interaction with the resource, wherein the user interaction includes at least one of a frequency with which a user accesses the resource, a length of time that tine user accessed the resource, and a significance of an action that the user performed on the resource, and the resource is more relevant to the search when the automated relevance number is high, and less relevant when the automated relevance number is low (See paragraphs 0004-0009, 0051, 0052, 0054).

Regarding Claim 26, Kincaid discloses that the instructions further comprise:

- obtaining a user preference indicating a preferred resource in which to

search (See paragraph 0060, Claims 33, 50); and

- determining the at least one relevant resource based on the preferred

resource, as indicated in the user preference (See paragraph 0060).

Claims 1-9, 20-26, as best understood, are rejected under 35 U.S.C. 102(e) as

being anticipated by Li et al. (US 2004/0177069).

Regarding 1, Li discloses a method for facilitating a search for content from

disparate resources, the method comprising:

- displaying a unified search entry interface in response to a request to

search for content (Abstract, paragraphs 0021, 0023, 0066);

- prior to conducting the search, determining at least one relevant resource

from a plurality of disparate resources (since the resources have already

stored in the database before any search) in which to search for

occurrences of a search term entered in the unified search entry

interface (See paragraphs 0025-028 and Figure 7);

- normalizing the relevant disparate resources (See paragraph 0023); and

- blending disparate results obtained from searching for occurrences of the

search term in the normalized relevant disparate resources (See

Abstract).

Regarding Claim 2, Li discloses that normalizing the relevant disparate resource

comprises:

- determining a relative importance of the search term occurring in one location in a first disparate resource (text) versus the search term occurring in another location in a second disparate resource (CBIR) (See paragraphs 0021, 0061); and

- weighing the occurrence of the search term in the disparate resources in accordance with the relative importance (See paragraph 0023).

Regarding Claim 3, Li discloses that blending the disparate results includes ranking the results by the weight of the occurrence of the search term, displaying the ranked results by a category associated with the resource, and displaying the locations in which the search terms occurred in comparable positions within each category (See Figure 1 and paragraph 0023, 0025, 0071).

Regarding Claim 4, Li discloses that the method further comprising:

- capturing a context of the search request (See abstract, paragraphs 0025-0029, 0049); and

- wherein determining at least one relevant resource is based on the context of the search request (See abstract, paragraphs 0021-0026, 0031-0034, 0044, 0053, 0054, 0059).

Regarding Claim 5, Li discloses that obtaining an automated measurement of relevance for each of the plurality of disparate resources; wherein determining the at least one relevant resource is based on the automated measurement of relevance (See abstract, paragraphs 0021-0026, 0031-0034, 0044, 0053, 0054, 0059).

Regarding Claim 6, Li discloses that the automated measurement of relevance is a metric that quantifies a user interaction with the resource (See abstract, paragraphs 0021-0026, 0031-0034, 0044, 0053, 0054, 0059).

Regarding Claim 7, Li discloses that the quantified user interaction includes at least one of a frequency with which a user accesses the resource, a length of time that the user accesses the resource, and a significance of an action that the user performs on the resource (See paragraphs 0025, 0031, 0046).

Regarding Claim 8, Li discloses the method further comprising:

-        obtaining a user preference indicating a preferred resource in which to
         search (See paragraphs 0005, 0021, 0023, 0048, 0057, 0068, 0069,
         0074);

-        wherein determining the at least one relevant resource is based on the
         preferred resource as indicated in the user preference (See paragraphs
         0005, 0021-0023, 0048, 0057, 0068, 0069, 0074).

Regarding Claim 9, Li discloses the method further comprising:

-        inherently building an index for the disparate resources (index is an
         inherent feature for tagging or heading a resource file); and

-        inherently searching the index (index is an inherent feature for tagging or
         heading a resource file) associated with the relevant resource when
         searching for occurrences of the search term (See Abstract and
         paragraph 0025).

Regarding Claim 20, Li discloses a computer-accessible medium having

computer-executable instructions for conducting a unified search for electronic content,

the instructions comprising:

- displaying a unified search entry interface in response to a request to
search for content (Abstract, paragraphs 0021, 0023, 0066);

- prior to conducting the unified search, determining at least one relevant
resource from a plurality of disparate resources (since the resources
have already been stored in the database before any search) in which to
search for occurrences of a search term entered in the unified search
entry interface (See paragraphs 0025-028 and Figure 7);

- normalizing the relevant disparate resources (See paragraph 0023); and

- blending disparate results obtained from searching for occurrences of the
search term in the normalized relevant disparate resources (See
Abstract).

Regarding Claim 21, Li discloses that the instruction to normalize the relevant

disparate resource comprises:

- determining a relative importance of the search term occurring in one
location in a first disparate resource versus the search term occurring in
another location in a second disparate resource (See paragraphs 0021,
0061); and

- weighing the occurrence of the search term in the disparate resources in
accordance with the relative importance (See paragraph 0023).

Regarding Claim 22, Li discloses that the instruction to blend the disparate results includes instructions to rank the results by the weight of the occurrence of the search term, display the ranked results by a category associated with the resource, and display the locations in which the search terms occurred in comparable positions within each category (See Figure 1 and paragraph 0023, 0025, 0071).

Regarding Claim 23, Li discloses that the instructions further comprise:

- capturing a context of the search request (See abstract, paragraphs 0025-0029, 0049) and

- determining the at least one relevant resource based on the context of the search request (See abstract, paragraphs 0021-0026, 0031-0034, 0044, 0053, 0054, 0059).

Regarding Claim 24, Li discloses that the instructions further comprise obtaining an automated measurement of relevance for each of the plurality of disparate resources; and determining the at least one relevant resource based on the automated measurement of relevance. (See abstract, paragraphs 0021-0026, 0031-0034, 0044, 0053, 0054, 0059).

Regarding Claim 25, Li discloses that the automated measurement of relevance is a number that represents a user interaction with the resource, wherein the user interaction includes at least one of a frequency with which a user accesses the resource, a length of time that tine user accessed the resource, and a significance of an action that the user performed on the resource, and the resource is more relevant to the search when the automated relevance number is high, and less relevant when the

automated relevance number is low (See abstract, paragraphs 0021-0026, 0031-0034,

0044, 0046, 0053, 0054, 0059).

Regarding Claim 26, Li discloses that the instructions further comprise:

- obtaining a user preference indicating a preferred resource in which to
  search (See paragraphs 0005, 0021, 0023, 0048, 0057, 0068, 0069,
  0074); and

- determining the at least one relevant resource based on the preferred
  resource, as indicated in the user preference (See paragraphs 0005,
  0021-0023, 0048, 0057, 0068, 0069, 0074).

Response to Arguments

Applicant's arguments with respect to claims 1-9, 20-26 have been considered

but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

This application contains claims 10-19 drawn to an invention nonelected without

traverse dated 9/29/2006. A complete reply to the final rejection must include

cancellation of nonelected claims or other appropriate action (37 CFR 1.144) See

MPEP § 821.01.

Correspondence

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Examiner Wilson Lee whose telephone number is (571)

272-1824. Papers related to the application may be submitted by facsimile

transmission. Any transmission not to be considered an official response must be

clearly marked "DRAFT". The official fax number is (571) 273-8300. Information

regarding the status of an application may be obtained from the Patent Application

Retrieval (PAIR) system. Status information for published applications may be obtained

from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the

PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to

the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-

9197 (toll-free).

5/23/07

WILSON LEE
PRIMARY EXAMINER